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DISTRICT IV

March 5, 2018

To:

Hon. J. David Rice
Reserve Judge

Diane Berendes
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Monroe County Courthouse
112 South Court Street, Room 301
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R. P.

You are hereby notified that the Court has entered the following opinion and order:

2016AP2365-NM

In the matter of the Protective Placement and Involuntary
Medication of R.P.: Monroe County v. R.P. (L.C. # 2003GN5)

Before Blanchard, J.¹

Summary disposition orders may not be cited in any court of this state as precedent or authority, except for the limited purposes specified in WIS. STAT. RULE 809.23(3).

Attorney Suzanne L. Hagopian, appointed counsel for R.P., has filed a no-merit report pursuant to WIS. STAT. RULE 809.32. Counsel provided R.P. with a copy of the report, and both counsel and this court advised him of his right to file a response. R.P. has not responded. I conclude that this case is appropriate for summary disposition. *See* WIS. STAT. RULE 809.21.

¹ This appeal is decided by one judge pursuant to WIS. STAT. § 752.31(2)(d) (2015-16). All references to the Wisconsin Statutes are to the 2015-16 version unless otherwise noted.

After my independent review of the record, I conclude there is no arguable merit to any issue that could be raised on appeal.

The circuit court entered orders for protective placement and involuntary administration of psychotropic medications. This appeal is from both orders.

As to protective placement, the circuit court received a report from R.P.'s treating psychiatrist that described his condition and recent behavior. The psychiatrist testified at a hearing in a manner consistent with the report. The psychiatrist's testimony was not inherently incredible and, if believed, was sufficient to establish the necessary elements for a protective placement. There is no arguable merit to this issue.

As to involuntary administration of medication, in my order of November 30, 2017, I directed appellant's counsel to further address an issue regarding the finding of dangerousness. Counsel now responds, in part, that this issue is moot because, at the time for a recommitment hearing in 2017, R.P. did not request a hearing on the continued administration of medications. Counsel provides copies of documents showing those events. I agree that, because the 2017 order is the one under which medications are currently being administered, further review of the 2016 medication order is moot.

My review of the record discloses no other potential issues for appeal.

Therefore,

IT IS ORDERED that the orders for protective placement and involuntary administration of medications are summarily affirmed. *See* WIS. STAT. RULE 809.21.

IT IS FURTHER ORDERED that Attorney Hagopian is relieved of further representation of R.P. in this matter. *See* WIS. STAT. RULE 809.32(3).

IT IS FURTHER ORDERED that this summary disposition order will not be published.

Sheila T. Reiff
Clerk of Court of Appeals